

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MUSALLI FACTORY FOR GOLD :  
& JEWELLRY CO., : 1:08-cv-01720 (LAP)  
Plaintiff, :  
:  
-against- : NOTICE OF MOTION  
:  
JPMORGAN CHASE BANK N.A., CHASE :  
INVESTMENT SERVICES CORPORATION, :  
and NICHOLAS GAMBELLA, :  
:  
Defendants. :  
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PLEASE TAKE NOTICE that upon the attached Declaration of Andrea Likwornik Weiss and the accompanying Memorandum of Law, defendants JPMorgan Chase Bank, N.A., Chase Investment Services Corporation and Nicholas Gambella will move this Court, before the Honorable Loretta A. Preska, United States District Court Judge for the Southern District of New York, on a date and at a time to be determined by the Court, at the Courthouse located at 500 Pearl Street, New York, New York 10007, for an Order pursuant to Fed. R. Civ. P. 12(b)(6) dismissing the amended complaint; and

PLEASE TAKE FURTHER NOTICE that, pursuant to Stipulation, papers in Opposition to the motion shall be served and filed on or before August 29, 2008 and papers in Reply to the Opposition shall be served and filed on or before September 19, 2008.

Dated: New York, New York  
July 25, 2008

LEVI LUBARSKY & FEIGENBAUM, LLP

By: \_\_\_\_\_ /s/

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TO (via ECF):

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